

DRATH, CLIFFORD, MURPHY & HAGEN, LLP
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Attorneys for Defendants
 HANDLER, THAYER & DUGGAN, LLC and
 THOMAS J. HANDLER, J.D., P.C. (erroneously sued
 herein as THOMAS J. HANDLER, individually)

UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

GREGORY R. RAIFMAN, individually and as)
 Trustee of the RAIFMAN FAMILY REVOCABLE)
 TRUST DATED 7/2/03; SUSAN RAIFMAN,)
 individually and as Trustee of the RAIFMAN)
 FAMILY REVOCABLE TRUST DATED 7/2/03;)
 and GEKKO HOLDINGS, LLC, an Alaskan limited)
 liability company, dba GEKKO BREEDING AND)
 RACING,)

Plaintiffs,

vs.

CLASSICSTAR, LLC, a Utah limited liability)
 company; CLASSICSTAR FARMS, LLC, a)
 Kentucky limited liability company; BUFFALO)
 RANCH, a business entity form unknown;)
 GEOSTAR CORPORATION, a Delaware)
 corporation; S. DAVID PLUMMER; SPENCER D.)
 PLUMMER, III; TONY FERGUSON; THOMAS)
 ROBINSON/ JOHN PARROT; HANDLER,)
 THAYER & DUGGAN, LLC, an Illinois limited)
 liability company; THOMAS J. HANDLER;)
 KARREN, HENDRIX, STAGG, ALLEN &)
 COMPANY, P.C., a Utah professional corporation,)
 f/k/a/ KARREN, HENDRIX &)
 ASSOCIATES, P.C., a Utah professional)
 corporation; TERRY L. GREEN; and DOES)
 1-1000, inclusive,)

Defendants.

No. C07-2552 EDL

DECLARATION OF
 ROBERTA C. BEACH IN
 SUPPORT OF MOTION
 TO SET ASIDE DEFAULT

DATE : 08/28/07
 TIME : 9:30 a.m.
 COURTROOM : 11

1 I, ROBERTA C. BEACH, declare and state as follows:

2 1. I am employed as a paralegal with the law firm of Drath, Clifford, Murphy &
3 Hagen, attorneys of record for defendants THOMAS J. HANDLER and HANDLER, THAYER &
4 DUGGAN, LLC. in the captioned matter.

5 2. On June 1, 2007, JOHN M. DRATH, the attorney handling this matter on
6 behalf of the defendants, forwarded an email from SCOTT STAINS of GREAT AMERICAN
7 INSURANCE COMPANY. In that email, SCOTT STAINS advised that he had a new matter to
8 refer and asked that a conflict check be performed. I went on line with PACER and printed out the
9 list of attorneys and parties. I also checked to see if there were any immediate deadlines.

10 3. Upon completion of the conflicts check, I advised SCOTT STAINS by email
11 that our firm could handle the matter. I also advised that JOHN DRATH would be in trial starting
12 June 4 and that the trial was expected to last several weeks.

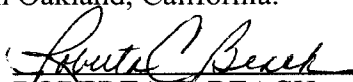
13 4. As SCOTT STAINS said he would be forwarding the file material, I took no
14 further action, and intended to set up the file when the material came in. Customarily, file material
15 will arrive within a few days of the initial contact.

16 5. At no time in my email or telephone communications with SCOTT STAINS
17 was there any mention that service of process had been effected on the defendants. I had no
18 communications with THOMAS HANDLER or plaintiffs' counsel as to whether service of process
19 had been effected.

20 6. On July 9, 2007, a letter, along with a copy of the complaint, was received
21 from SCOTT STAINS confirming that our firm had been retained to represent THOMAS J.
22 HANDLER and HANDLER, THAYER & DUGGAN. There was no summons or any other
23 document indicating that service had been effected.

24 I declare under penalty of perjury, in accordance with the laws of the State of
25 California, that the foregoing is true and correct.

26 Executed on July 21, 2007, in Oakland, California.

27 
28 ROBERTA C. BEACH

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